

United States District Court

SOUTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

OSCAR MAURICIO CORDOVA-
HERNANDEZ, AND
IRFAN DEMIROVIC

CASE NUMBER: 1:09-mj-0325-01
-02

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 13, 2009 in Johnson County, in the Southern District of Indiana defendants did, (Track Statutory Language of Offense)

possess with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Narcotic Controlled Substance

in violation of Title 21, United States Code, Section 841(a)(1). I further state that I am a Special Agent and that this complaint is based on the following facts:

See attached affidavit

Continued on the attached sheet and made a part hereof.



Michael D. Cline, Special Agent
Drug Enforcement Administration

Sworn to before me, and subscribed in my presence

October 14, 2009

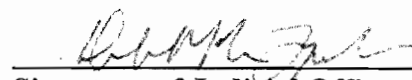
Date

Debra McVicker Lynch, U.S. Magistrate Judge

Name and Title of Judicial Officer

at Indianapolis, Indiana

City and State



Signature of Judicial Officer

AFFIDAVIT

Your Affiant, Michael D. Cline, is a Special Agent with the Drug Enforcement Administration and has served in that capacity since 1996. Your Affiant is currently assigned to the Indianapolis District Office and has been since January 2001. Prior to the Indianapolis DEA Office, your Affiant was assigned to the New York City DEA Division Office from 1996 through January 2001. The information contained in the below paragraphs is either personally known to your Affiant or told to your Affiant by other law enforcement Officers.

This Affidavit is submitted in support of a criminal complaint charging Oscar Mauricio Cordova-Hernandez and Irfan Demirovic with possession with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Narcotic Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1).

1. On 10-13-2009 information from an ongoing Title III investigation in the Eastern District of Kentucky was received that was interpreted to mean that Mauricio Cordova-Hernandez and Irfan Demirovic were engaged in the transportation of cocaine to an unknown intercepted person in Louisville, KY.

2. Later, and still on 10-13-2009, law enforcement established surveillance on locations known to be frequented by the Demirovic and Cordova-Hernandez. Both subjects were identified driving two separate vehicles (a blue 2006 Volkswagen Rabbit bearing Indiana license plate KA3224 and a blue Ford Focus, bearing Ohio license plate EPJ9148) in tandem traveling southbound on I-65.

3. On October 13, 2009, at approximately 11:50 a.m., Indiana State Police Trooper Brad Smith observed a blue 2006 Volkswagen Rabbit bearing Indiana license plate KA3224 commit a traffic infraction near mile marker 95 on Interstate 65 in Johnson County, Indiana. Trooper Smith pulled behind the Volkswagen and activated his emergency lights stopping the Volkswagen south of Exit 95.

4. Trooper Smith identified the driver as Irfan Demirovic by Indiana driver's license. While advising Demirovic of the infraction, Trooper Smith was advised by Demirovic that the car belonged to a friend and that he was going to Bowling Green, Kentucky to visit a girlfriend. At this time, Trooper Smith observed a clear plastic pill bottle containing a substance which Trooper Smith believed contained suspected controlled substances. Demirovic stated that the substance was used to place on his teeth for recent dental work. Trooper Smith then brought Demirovic to his vehicle. A short time later Trooper Will Etter arrived and obtained the clear plastic bottle to perform a field test. Trooper Smith then asked Demirovic to consent to a search of the Volkswagen which Demirovic agreed. Trooper Smith asked Demirovic if the Volkswagen could be moved off the Interstate for safety reasons. The vehicle was moved by law enforcement while Trooper Smith drove Demirovic to Exit 90 of Interstate 65.

5. A search of the Volkswagen revealed two metal rectangular shaped items which your Affiant believes from his training and experience are used to repackage and cut cocaine. The rectangular presses are consistent with the size of the suspected cocaine seized in the following paragraphs.

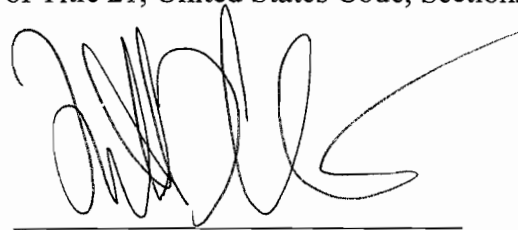
6. On October 13, 2009, at approximately 11:56 a.m., Indiana State Police Trooper Dennis Wade observed a blue Ford Focus, bearing Ohio license plate EPJ9148

traveling southbound on Interstate 65 near mile marker 91, in Johnson County, Indiana. Trooper Wade observed the Ford commit a traffic infraction and Trooper Wade pulled behind the Ford, activated his emergency lights stopping the Focus near the 90 mile marker.

7. Trooper Wade approached the vehicle and advised the driver of the traffic infraction. The driver was identified as Oscar Mauricio Cordova-Hernandez. Trooper Wade asked Cordova-Hernandez who the Ford belonged to and Cordova-Hernandez did not know the name, but handed the registration to Trooper Wade. Cordova-Hernandez advised Trooper Wade that he was going to the outlet mall, but could not tell Trooper Wade where the outlet mall was located. Another Trooper arrived to assist and placed Cordova-Hernandez in his commission to write a warning ticket for the traffic offense. At this time Trooper Wade had his trained K9 conduct a "Free Air Sniff" on the Focus. Canine "Mojo" (Trooper Wade's trained Narcotic detection dog) indicated for the presence of a narcotic odor on the passenger side door of the Ford. Trooper Wade and an assisting Trooper then commenced a search of the Ford near the area of the K-9 alert. Trooper Wade observed a fifty dollar bill sticking out from the molding on the side wall of the Ford. Based on Trooper Wade's experience and training, Trooper Wade believed the Ford may contain a hidden compartment. The Ford was then moved off the Interstate at exit 90 to conduct a more thorough search. Trooper Wade discovered hidden compartments on both sidewalls of the Ford. One side contained a bundled amount of currency which was later counted and determined to be \$10,000.00 as well as four bundles of a white powder substance. The other side compartment contained three rectangular shaped bricks of white powder. The gross weight of the white powder

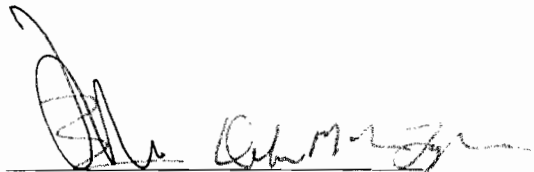
objects found was 6,883.2 gross grams. The white powder field-tested positive for the presence of cocaine.

8. Based upon your Affiant's training and experience and the facts set forth herein, your Affiant submits there is probable cause to believe that Oscar Mauricio Cordova-Hernandez and Irfan Demirovic did possess with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Narcotic Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1).

A handwritten signature in black ink, appearing to read 'Michael D. Cline', written over a horizontal line.

Michael D. Cline, Special Agent
Drug Enforcement Administration

SWORN TO BEFORE ME, AND SUBSCRIBED IN MY PRESENCE, THIS
14TH DAY OF OCTOBER 2009.

A handwritten signature in black ink, appearing to read 'Debra McVicker Lynch', written over a horizontal line.

Debra McVicker Lynch
U.S. Magistrate Judge
Southern District of Indiana